

REMARKS

The Examiner has issued a restriction requirement between claims 1-8, 9-20 or 21-28. Applicant confirms the election of claims 21-28 without traverse, withdraws claims 1-8 and cancels claims 9-20.

Applicant is submitting a new Abstract on a separate page, so as to overcome the objection thereto. Applicant also has corrected minor typographical or grammatical errors in the Specification. Also, Applicant has amended the title, as required by the Examiner.

The Examiner asserts that claims 25-28 are in improper multiple dependency form. However, in the Preliminary Amendment dated March 25, 2005, these claims were rewritten into proper form, without multiple dependency.

Claims 21-24 and 26-28 have been rejected under 35 U.S.C. § 103 as being obvious over Krengel as modified by Chandley. Claim 25 has been rejected under § 103 as being obvious over Krengel, Chandley and Pereira. Applicant respectfully traverses these rejections, and requests reconsideration of the claims, as amended.

Independent claim 21 has been amended to provide that the pressure in the tank is maintained greater than the pressure in the camera such that the melt will move from the tank upwardly through the vertical passage to the camera. Krengel does not meet this limitation. Krengel utilizes a pump to transfer coating material from the lower tank to the upper tank, as acknowledged by the Examiner. Krengel cannot be modified by Chandley, as asserted by the Examiner, since such a modification would destroy the functionality of Krengel. More particularly, Krengel specifically provides that the pressure in the upper coating tank 108 is greater than the pressure in the lower tank 98, such that air or other contaminating gas will not leak back into the upper tank 108. See col. 9, lines 53-57 and Figure 1. Similarly, for the

Krengel embodiment shown in Figure 7, the pressure in the upper tank 204 is greater than the pressure in the lower tank 220 to prevent back flow or leakage of gas into the upper tank. See col. 10, lines 63-67. If Krengel is modified by Chandley, as suggested by the Examiner, the pressure relationships between the upper and lower tanks would have to be reversed, contrary to the clear teaching of Krengel. As the Court of Appeals for the Federal Circuit has explained, it is not obvious to modify a prior art device in a manner inconsistent with the reference. In re Gorden, 733 F.2d 900, 902 (Fed. Cir. 1984). Therefore, the combination of Krengel and Chandley is improper.

Furthermore, the present invention and Krengel are directed towards product coating, whereas Chandley is directed towards product casting. Casting and coating are two separate and distinct processes. There is no evidence that a person skilled in the coating art would look to the casting art when developing an improved coating system.

For the above reasons, independent claim 1 distinguishes over the cited references so as to be allowable, along with depending claims 22-27.

New independent claim 29 requires that the camera have a pressure less than atmospheric pressure to prevent leakage of melted coating material through the inlet and outlet. This requirement of claim 29 is supported by the Specification, paragraphs 0056-0059, which clearly sets forth that the atmospheric pressure is greater than the sum of the pressure in the camera and the pressure of the melt column. The cited references do not meet this limitation. Again, Krengel requires that the pressure in the camera be greater than the outside pressure so as to prevent reverse leakage of gas into the upper tank. Also, Krengel utilizes gaskets 110 on the product inlet (and presumably on the product outlet) which implies that the pressure in the upper tank is greater than the atmospheric pressure. Chandley does not overcome this deficiency of

Krengel, since Chandley does not disclose a product coating chamber or camera having an inlet and outlet through which the product moves.

Therefore, claim 29, and depending claims 30-35, distinguish over the cited references so as to be allowable.

In view of the foregoing, Applicant respectfully requests that the rejection of the claims be withdrawn and that a Notice of Allowance be issued.

No fees are believed to be due in connection with this amendment and application; however, consider this a request for any fees inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Respectfully submitted,



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